

Chapter 16-18V
SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor
SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS
SUBSTITUTE BY THE ZONING COMMITTEE

modifications by RCIL 26feb05

Section 16-18V.001. Scope of Provisions

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the Regulations in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18V.003, except that all existing categories of historic protection designated pursuant to Chapter 20 of Part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this Chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. Whenever the following regulations conflict with provisions of Part 16 other than historic protection regulations, the more stringent regulation shall apply.

The regulations set forth in Sections 16-18V.001 through and including Section 16-18V.019 shall apply to all properties located within the SPI-22 Memorial Drive, Martin Luther King, Jr. Drive Corridor Special Public Interest District, including all subareas within the District.

Section 16-18V.002. Statement of Intent.

The intent of the Council in establishing SPI-22 as a zoning district is as follows:

1. Implement provisions of the Comprehensive Development Plan incorporating certain recommendations contained in studies of this area, including the comprehensive study known as the Memorial/ MLK Area Revitalization Study as adopted by the City of Atlanta.
2. Create a 24-hour urban environment where people can live, work, meet and play;
3. Encourage the development of mixed-use pedestrian oriented uses within the district;
4. Encourage the development of medium and high intensity housing that provides a range of housing opportunities for citizens;
5. Encourage a compatible mixture of residential, commercial, entertainment, cultural and recreational uses;
6. Promote high quality, innovative aesthetics of street and built environments;
7. Promote pedestrian safety by ensuring pedestrian-oriented buildings which create a sense of activity and liveliness along their sidewalk level façades;
8. Encourage the revitalization of pedestrian-oriented shopping and entertainment streets through sidewalk level oriented buildings and uses;

9. Facilitate safe, pleasant, and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles;
10. Preserve and facilitate adaptive re-use of the Memorial Drive/MLK, Jr. Drive corridor's historic buildings and sites;
11. Encourage the use of MARTA and other public transit facilities;
12. Provide accessible and sufficient parking in an unobtrusive manner;
13. Enhance the efficient utilization of parking facilities by encouraging shared parking and alternative modes of transportation;
14. Provide safe and accessible parks and plazas for active and passive use;
15. Preserve the fabric of existing historic single-family neighborhoods by providing a location for needed neighborhood commercial and retail uses and by providing greater residential density along the Memorial Drive/MLK, Jr. Drive Corridor.
16. Provide connections between the Capitol Gateway, Grant Park, Cabbagetown and Reynoldstown communities and between those communities and adjacent areas including, Downtown and the State Capitol area, DeKalb Avenue and the Old 4th Ward neighborhood and the south Grant Park neighborhood, Grant Park and Zoo Atlanta areas.

Section 16-18V-003. Boundaries of District Established

The boundaries of the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor Special Public Interest District are shown on map Attachment B which by this reference is incorporated into and made a part of this chapter and this part. The Memorial Drive, Martin Luther King, Jr. Drive Corridor Special Public Interest District is divided into eight (8) subareas as shown on said map Attachment B and are described as follows:

- Subarea 1 – Capitol Cultural and Office District
- Subarea 2 – Capitol Gateway Neighborhood
- Subarea 3 – Capitol-Oakland Park
- Subarea 4 – Memorial Drive- Grant Park Neighborhood
- Subarea 5 – MLK Drive Loft District West
- Subarea 6 – MLK Drive Loft District East
- Subarea 7 – Oakland Gate
- Subarea 8 – Memorial Drive- Cabbagetown Neighborhood
- Subarea 9 – Memorial Drive- Reynoldstown Neighborhood

Section 16-18V.004. Use Regulations

1. See SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Use Table for permitted principal uses and special permits.
2. Permitted Principal Uses:
 - a. A building or premises shall be used only for the principal purposes as indicated with a "P" in SPI-22 Memorial Drive, Martin Luther King, Jr. Drive Corridor: Use Table.
 - b. For the purposes of this Chapter, uses at sidewalk level in what would otherwise be classified as an independent primary parking structure shall not constitute principal uses.

No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district.

3. Permitted Accessory Uses and Structures: Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically includes parking to serve authorized residential and non-residential uses within the district, subject to the restrictions contained in this Chapter.
4. Special Permits: The following uses are permissible only by special permits of the type indicated subject to limitations and requirements set forth herein or elsewhere in this part, and subject to the applicable procedures and requirements set forth in Section 16-25.001, et seq.
 - a. Special use permits shall be required as indicated with "SUP" in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor Use Table.
 - b. Special administrative permits shall be required as indicated with "SAP" in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor Use Table.
 - c. Special exceptions: None.

SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: <i>Use Table</i>								
P = Permitted Principal Use and Structure SAP = Special Administrative Permit Required SUP = Special Use Permit Required X = Not Permitted	Subareas							
	Capitol Cultural-Office 1	Capitol Gateway 2	Capitol-Oakland Park 3	Memorial-Grant Park 4	MLK Drive Loft West 5	MLK Drive Loft East 6	Oakland Gate 7	Memorial-Cabbagetown 8
Banks, savings and loan associations, and similar financial institutions	P	P	X	P	P	P	P	P
Broadcasting towers, line-of-sight relay devices for telephonic, radio or television communications when such towers or devices are less than two hundred (200) feet in height	P	P	X	P	P	P	X	P
Broadcast towers, line of sight relay devices for telephonic, radio or television communications when such towers or devices are greater than two hundred (200) feet in height	X	SUP	X	SUP	SUP	SUP	X	SUP
Bus Terminals	SUP	X	X	X	SUP	SUP	X	X
Business or commercial schools	P	P	X	P	P	P	P	P
Child care centers, kindergartens and special schools	P	P	X	P	P	P	P	P

Memorial-Reynoldstown9

P

SUP

SUP

SUP

P

P

**SPI-22 Memorial Drive/
Martin Luther King, Jr.
Drive Corridor: Use Table**

P = Permitted Principal Use and Structure SAP = Special Administrative Permit Required SUP = Special Use Permit Required X = Not Permitted	Subareas								Memorial-Reynoldstown 9
	Capitol Cultural-Office 1	Capitol Gateway 2	Capitol-Oakland Park 3	Memorial-Grant Park 4	MLK Drive Loft West 5	MLK Drive Loft East 6	Oakland Gate 7	Memorial-Cabbage-town 8	
Churches, synagogues, temples, and other religious worship facilities	SUP	SUP	X	SUP	SUP	SUP	SUP	SUP	SUP
Clubs and lodges	P	P	X	P	P	P	P	P	P
Commercial recreation establishments, including bowling alleys, theatres, convention halls, places of assembly, and similar uses with primary activities conducted within fully enclosed buildings	P	P	X	P	P	P	P	P	P
Digital industry switchboards, relay equipment, and associated power generators as principal uses	SUP	SUP	X	SUP	SUP	SUP	SUP	SUP	SUP
Dormitories, fraternities and sororities associated within an accredited institution of higher learning	P	P	X	P	P	P	P	P	P
Drive-in facilities subject to Section 16-18V.011(11)	P	P	X	P	P	P	P	P	P
Eating and drinking establishments	P	P	SUP	P	P	P	P	P	P
Family care and group homes as defined in Section 16-29.001(16)a, but not congregate care homes and rehabilitation centers	SUP	SUP	X	SUP	SUP	SUP	SUP	SUP	SUP
Helicopter landing facilities or pickup or delivery stations	SUP	SUP	X	SUP	SUP	SUP	SUP	SUP	SUP
Hospitals and Medical Clinics	P	P	X	P	P	P	P	P	P
Hotels and motels	P	P	X	P	P	P	P	P	P
Independent primary parking	SUP	X	X	X	X	X	X	X	X
Laundry and dry cleaning, collection stations or plants; laundry and dry cleaning establishments where equipment is operated by customers	P	P	X	P	P	P	P	P	P

SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Use Table								
P = Permitted Principal Use and Structure SAP = Special Administrative Permit Required SUP = Special Use Permit Required X = Not Permitted	Subareas							
	Capitol Cultural-Office 1	Capitol Gateway 2	Capitol-Oakland Park 3	Memorial-Grant Park 4	MLK Drive Loft West 5	MLK Drive Loft East 6	Oakland Gate 7	Memorial-Cabbagetown 8
Manufacturing, wholesaling, repairing, assembly, processing, preparation, packaging or treatments of articles, foods, components, products, clothing, machines and appliances and the like uses, where character of operations, emissions and byproducts do not create adverse effects beyond the boundaries of the property	X	X	X	SUP	P	SUP	SUP	SUP
Mercantile Uses, to include merchandise marts and exhibit buildings for wholesale trade	SUP	X	X	X	X	X	X	X
Museums, galleries, auditoriums, libraries and similar cultural facilities	P	P	SUP	P	P	P	P	P
Nursing homes and convalescent centers	SUP	SUP	X	P	P	P	P	P
Medical offices, clinics, laboratories, studios and similar uses, but not blood donor stations	P	P	X	P	P	P	P	P
Offices, clinics, laboratories, studios and similar uses, but not blood donor stations except at hospitals	P	P	X	P	P	P	P	P
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas, or outdoor areas for religious ceremonies, all of <i>less than 90 days</i> duration	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas, or outdoor areas for religious ceremonies, all of <i>90 days or more</i> duration	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Printing and blueprinting shops	P	P	X	P	P	P	P	P
Professional or personal service establishments, but not hiring halls	P	P	X	P	P	P	P	P
Public and private schools and Institutions of higher learning, including colleges and universities	P	P	X	P	P	P	P	P

Memorial-Reynoldstown
9

| SUP

| X

| P

| SUP

| P

| P

| SAP

| SUP

| P

| P

| P

Rehabilitation Centers	SUP	SUP	X	SUP	SUP	SUP	SUP	SUP	SUP
Retail establishments	P	P	SUP	P	P	P	P	P	P

SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Use Table									
P = Permitted Principal Use and Structure SAP = Special Administrative Permit Required SUP = Special Use Permit Required X = Not Permitted	Subareas								
	Capitol Cultural-Office 1	Capitol Gateway 2	Capitol-Oakland Park 3	Memorial-Grant Park 4	MLK Drive Loft West 5	MLK Drive Loft East 6	Oakland Gate 7	Memorial-Cabbagetown 8	
Sales and leasing agencies for bicycles and mopeds	P	P	SUP	P	P	P	P	P	Memorial-Reynolds own g P
Service and repair of office equipment or installations; home appliances, clocks and watches, shoes, bicycles and leather goods	P	P	X	P	P	P	P	P	P
Sales and leasing agencies for new and used automobiles	X	X	X	X	X	X	X	X	X
Service Stations and car washes	X	X	X	X	X	X	X	X	X
Single-family, two-family dwellings	X	X	X	P	X	X	X	P	P
Multi-family dwellings	P	P	X	P	P	P	P	P	P
Single room occupancy residences	P	SUP	X	SUP	P	P	SUP	SUP	SUP
Sports arenas and complexes	SUP	SUP	X	X	SUP	SUP	SUP	X	SUP
Structures required for public transit but not rail yards or maintenance shops	P	P	P	P	P	P	P	P	P
Tailoring, custom dressmaking, millinery and similar establishments	P	P	X	P	P	P	P	P	P
Veterinary clinics - when completely enclosed	P	P	X	P	P	P	P	P	P

Section 16-18V.005. Development Controls.

See SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Development Controls Table for Bulk Limitations, Building Coverage and Minimum Open Space Requirements, subject to subsections 1 through 8-9 below.

1. All residential and non-residential uses, including residential portions of mixed-use developments, shall utilize Net Area of a Regular Lot (NLA) when calculating maximum permitted residential floor area
3. The entire horizontal area of residential balconies which are enclosed on three (3) sides shall be counted towards UOSR.

4. The uncovered horizontal area of rooftop stormwater treatment gardens may be counted towards UOSR or Public Space Requirements.
5. The total area of new on-street parking may be counted towards UOSR or Public Space Requirements provided the following criteria are met:
 - a. No on-street parking currently exists in the public right-of-way adjacent to the project area for which credit is sought;
 - b. The new on-street parking is located where there is no existing street travel lane;
 - c. The on-street parking occupies ~~an entire block face~~ a minimum of 50% of the parcel frontage length;
 - d. Curb extensions are provided at street intersections; and
 - e. All other sidewalk requirements of this Chapter are met.
6. *Side yard*: None, although Fire and Building Code requirements shall apply.
7. *Rear yard*: The following regulations shall apply to rear yard setback.
 - a. *Transitional height planes*: Where this district adjoins an R-1 through R-G, or PD-H district without an intervening street or railroad right-of-way, height within this district shall be limited as follows: No portion of any structure shall protrude through a height limiting plane beginning 35 feet above the property line nearest to the common residential district (R-1 through R-G or PD-H) boundary and extending inward over this district at an angle of 45 degrees.
 - b. *Transitional yards*: Where this district adjoins an R-1 through R-G or PD-H district without an intervening street or railroad right-of-way, a minimum of 20 feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity with the exception of private alleys or drives a maximum of twenty-four (24) feet in width. Such yards shall be planted as approved by the city arborist and maintained as a landscaped strip.
 - c. *Screening*: In addition to the above transitional yard requirements, permanent opaque walls six feet in height shall be provided and shall be maintained in slightly condition.
8. *Pedestrian circulation requirements*: All sidewalk widths, pedestrian circulation requirements, arcades and embayments shall be in conformance with the standards and requirements of the Pedestrian Space Plan map attached hereto as Map C. That portion of the Pedestrian Circulation requirement which lies within the Net Area of a Regular Lot shall constitute a corresponding portion of the UOSR or Public Space Requirements.
9. *Non-residential Entitlement Rule*: Non-residential uses shall be allowed to a maximum of one-third (1/3) of total development including residential uses ,and residential uses shall be a minimum of two-thirds (2/3) of the total development as indicated for subareas 2,4 and 8 on the Memorial Drive, Martin Luther King/ Jr. Drive Corridor: Development Controls Table.

SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Development Controls Table									
		Subareas							
		Capitol Cultural-Office 1	Capitol Gateway 2	Capitol Oakland Park 3	Memorial-Grant Park 4	MLK Drive Loft West 5	MLK Drive Loft East 6	Oakland Gate 7	Memorial-Cabbagetown 8
Bulk Limitations	Non-residential Maximum FAR	5	1	none (4)	1	6	6	1	.5
	Residential Maximum FAR	5	2.5	none	3	4	4	3	2
	Non-residential Entitlement Rule Applies See: Section 16-18V.005.(9) above	No	Yes	No	Yes	No	No	No	Yes
	Maximum Achievable Combined FAR ₁	5	3	none	3.5	10	10	3.5	2
Building Coverage	Maximum Building Coverage, as percent of NLA	100%	85%	na	85%	85%	85%	85%	85%
Minimum Open Space Requirements ₂	Non-Residential Public Space Requirement (PSR) ₃	15%	15%	na	15%	15%	15%	15%	15%
	Residential Usable Open Space Requirements (UOSR) ₄ shall be equal to the lesser of:	15% floor area or 80% lot area	15% floor area or 80% lot area	na	15% floor area or 80% lot area	15% floor area or 80% lot area	15% floor area or 80% lot area	15% floor area or 80% lot area	15% floor area or 80% lot area

¹ Residential FAR shall be multiplied by NLA to determine maximum permitted floor area, subject to subsection 2 above.

² For mixed-use developments, except as authorized in Section 16-18.005(1), both residential and non-residential requirements shall be met separately.

³ See Section 16-28.012 for definition and measurements.

⁴ There are no Total Open Space Requirements.

na- not applicable

Section 16-18V.006. Site Limitations.

1. Minimum building façade heights along streets shall be (as measured from the average ground level at building base):
 - a. 35 feet in subareas 1,4,5,6,7 and at subarea 8, at Boulevard, and Memorial Drive.
 - b. 25 feet in subarea 2.
 - c. none in subarea 3 or subarea 8 at residential streets (excluding Boulevard, and Memorial Drive).
2. Maximum building heights shall be (as measured from the highest point on block street frontage):
 - a. 72 feet in subarea 1, north of Memorial Drive.
 - b. 124 feet in subarea 1, south of Memorial Drive.
 - c. 72 feet in subarea 2, north of Memorial Drive.
 - d. 66 feet in subarea 2, south of Memorial Drive.
 - e. 20 feet in subarea 3 for secondary building uses.
 - f. 66 feet in subarea 4 along Memorial Drive, Hill Street, Cherokee Avenue and Boulevard to a depth of two hundred feet (200') from Memorial Drive.
 - g. 76 feet in subarea 4, at the intersections of Memorial Drive/ Hill Street and Memorial Drive/ Boulevard to a distance of 75 feet from each corner along Memorial Drive, Hill Street and Boulevard to a depth of two hundred feet (200') from Memorial Drive, Hill Street and Boulevard.
 - h. 35 feet in subarea 4 from a depth of two hundred feet (200') from Memorial Drive to Woodward Ave., where applicable.
 - i. 66 feet in subarea 5 along MLK, Jr. Drive to a depth of two hundred feet (200') from MLK, Jr. Drive.
 - j. 76 feet in subarea 5, at the intersections of MLK, Jr. Drive/ Hill Street to a distance of 75 feet from each corner to a depth of two hundred feet (200') from MLK, Jr. Drive.
 - k. 200 feet in subarea 5 beginning at a depth of two hundred feet (200') from MLK, Jr. Drive.
 - l. 124 feet in subarea 6.
 - m. 66 feet in subarea 7.
 - n. 52 feet in subarea 8 along Boulevard and Memorial Drive, 35 feet in subarea 8 along residential streets.
 - o. 66 feet in subarea 9
3. With the exception of Hill Street north of MLK, Jr. Drive and George Street north of MLK, Jr. Drive, and floors above recessed balconies or immediately above authorized sidewalk level Arcades and embayments, all floors shall rise vertically at the back of the required sidewalk or provided supplemental zone for a minimum of three (3) stories before stepping back from said required sidewalk or provided supplemental zone.

Section 16-18V.007. Sidewalks.

Sidewalks shall be located along all public streets and shall have the widths identified in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Sidewalk Table, and in the Pedestrian Space Plan map.

1. The Street furniture and tree planting zone shall have the width and tree planting requirements specified in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Sidewalk Table.
2. The sidewalk clear zone shall have the width requirements specified in the SPI-22 Memorial Drive, Martin Luther King, Jr. Drive Corridor: Sidewalk Table. Said zone shall be unobstructed by any nonpermanent element except as authorized elsewhere in Section 16-18V.007.
3. *Oakland Gate/ MARTA Special Setback Areas*: The sidewalk clear zone shall have the width and shape requirements specified in figure [16-18V.007.3(b)] for subareas 6 and 7 at Grant Street and MLK, Jr. Drive. Said zone shall be unobstructed by any nonpermanent element except as authorized elsewhere in Section 16-18V.007.
4. Street trees are required as indicated in SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Sidewalk Table. Where required, said street trees shall be planted a maximum of thirty (30) feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of caliper of three (3) inches measured thirty-six (36) inches above ground, shall be a minimum of twelve (12) feet in height, shall have a minimum mature height of forty (40) feet, and shall be limbed up to a minimum height of seven (7) feet. Trees shall have a minimum planting area of forty (40) square feet, except where tree grates are provided.
5. Tree Grates
 - a. Required on Memorial Drive and Martin Luther King, Jr. Drive.
(except subarea 9)
 - b. Where required or otherwise installed, tree grates shall be a minimum of four (4) feet by eight (8) feet, shall be a type specified by the Director of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way, and shall be placed within the street furniture and tree planting zone.
 - c. Where not required or otherwise installed, tree-planting areas shall be planted with evergreen ground cover or covered with hardwood mulch. Flowers and seasonal plantings may be planted in tree-planting areas, but shall be supplemented by hardwood mulch.
6. Special paver requirements in the street furniture and tree planting zone shall be as shown in the SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Sidewalk Table
7. Decorative pedestrian lights, where installed, shall be placed a maximum of forty (40) feet on center and spaced equal distance between required trees. Where installed, said lights shall be located within the street furniture and tree planting zone. All said lights shall be as approved by the Director of the Bureau of Planning.

8. Where no supplemental zone is provided, outdoor dining and potted plants may encroach a maximum of two (2) feet into the sidewalk clear zone as measured from the building façade, subject to the following:
 - a. No element shall be attached to the required sidewalk in any way;
 - b. Outdoor dining may not be separated from the required sidewalk with planters, fencing or similar barriers.

SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor: Sidewalk Table					
Sidewalks widths shown on the Pedestrian Space Plan map shall be subject to the regulations herein.					
As Shown on Pedestrian Space Plan Map	Sidewalk Clear Zone Width	Street Furniture and Tree Planting Zone Width	Street Trees in Street Furniture and Tree Planting Zone	Special Pavers in Street Furniture and Tree Planting Zone**	
20*	15 feet minimum	5 feet minimum	Required	Required	
15	10 feet minimum	5 feet minimum	Required	Not Required	
40***	35 feet minimum	5 feet minimum	Required	Required	
<u>20a (subarea 9)</u>	<u>13 feet minimum</u>	<u>7 feet minimum</u>	<u>Required</u>	<u>Required</u>	

*These sidewalk Widths indicated may, if desired by the owner(s), be increased up to an additional ten (10) feet; any additional width shall be considered part of the Supplemental zone.

** See Section 16-18V.007(5).

*** Public Plaza at Memorial Drive and Cherokee Drive.

Section 16-18V.008. Supplemental Zone

See SPI-22 Memorial Drive, Martin Luther King/ Jr. Drive Corridor: Supplemental Zone Table for supplemental zone location requirements and prohibitions.

1. Terraces, porches and stoops within the supplemental zone shall have a maximum finished floor height of twenty-four (24) inches above finished-grade, unless existing topographical considerations render this requirement unreasonable.
2. Requirements for Supplemental Zones Fifteen (15) Feet in Width or Less:
 - a. Adjacent to non-residential uses:
 - i. Shall be hardscape for a minimum of eighty percent (80%) of its surface.
 - ii. Shall be visible and directly accessible to the general public from the adjacent required sidewalk.
 - iii. Adjacent to sidewalk level residential uses said zone may be landscaped except as prohibited in Section 16-18V.008(4).
3. Requirements for Supplemental Zones Greater than Fifteen (15) Feet in Width:
 - a. Adjacent to all uses:

- i. Shall permit and encourage pedestrians to walk on a minimum of eighty percent (80%) of its area, excluding fountains, pools, ornamental planting, pedestrian furniture, public art and similar elements.
 - ii. Shall be visible from a height of five (5) feet above the adjacent required sidewalk along ninety percent (90%) of the length of said sidewalk.
- b. Additional requirements adjacent to non-residential uses:
 - i. Shall be accessible from any point along ninety percent (90%) of any adjacent required sidewalk.
 - ii. All sides of buildings fronting said zone shall meet the requirements of Sections 16-18V.016 (2), 16-18V.016 (3), and 16-18V.016(5).
 - iii. Shall be hardscape for a minimum of sixty-five percent (65%) of its surface.
- c. Additional requirements adjacent to ground floor residential uses:
 - i. Shall provide a pedestrian walkway with a minimum width of three (3) feet through said supplemental zone to the adjacent required sidewalk. Said walkway shall connect directly to the public sidewalk.
 - ii. All adjacent residential units shall provide direct pedestrian access to said zone, unless existing topographical considerations render this requirement unreasonable.

**SPI-22 Memorial Drive/ Martin Luther King, Jr. Drive Corridor:
Supplemental Zone Table**

Supplemental Zones within SPI-22 Memorial Drive, Martin Luther King, Jr. Drive Corridor shall be required or prohibited as shown below.

Prohibited	Allowed, not to Exceed ten (10) feet in Width	Allowed, not to Exceed five (5) feet in Width
subarea 3	within subarea 1,2, 4,5,6,7,8, <u>9</u> at Memorial Drive, MLK, Jr. Drive, Hill Street, Grant Street Cherokee Avenue and Boulevard;	within Subarea 1,2, 4,5,6,7 at all other streets (not listed in 10 foot category).

Section 16-18A.009. Building Loading Areas, Dock Entrances, Mechanical and Accessory Features.

1. Dumpsters, loading areas and loading dock entrances shall be screened so as not to be visible from any public park, ground level outdoor dining area, or required sidewalk. In addition, all external dumpsters shall be enclosed with opaque walls six (6) feet in height.
2. Building mechanical and accessory features:
 - a. Shall be located to the side, rear or roof of the principal structure and shall not be visible from any public park, adjacent supplemental zone, or adjacent required sidewalk.
 - b. When located on rooftops shall be incorporated in the design of the building and vertically screened.
 - c. Shall not be permitted within the Supplemental Zone.
 - d. Loading dock entrances shall be screened with automatic doors so that said docks and related activities are not visible from the adjacent required sidewalk.

Section 16-18V.010. Off-Street Loading Requirements.

1. Subareas 1,2, 4,5,6,7,~~and 8,~~ and 9:
 - a. There shall be no off-street loading requirements for retail, commercial, personal services or repair, rental, and servicing of items marketed at retail where the combined gross square feet of such uses in a single-building does not exceed ten thousand (10,000) square feet.
 - b. All other off street loading requirements shall be as indicated in the Table of Loading Requirements, Section 16-28.015 Off-street Loading Requirements.

Section 16-18V.011. Curb Cuts and Parking Structures.

1. All Street furniture and tree planting zone and sidewalk clear zone paving materials and widths shall be continued across any intervening driveway. The sidewalk clear zone cross slope across said driveway and shall not exceed two percent (2%). The placement of ramps, curbs, parking directional signs, bollards, parking card readers or ticket machines, and similar permanent structures within either sidewalk zone shall be prohibited.
2. Driveways shall have a textured band of concrete having a minimum width of five (5) feet beyond the back of the sidewalk clear zone.
3. Except as authorized in subsection 4 below, no more than one (1) curb cut shall be permitted for each development, provided that properties with more than one (1) street frontage may have one curb cut per frontage.

4. Curb cuts, driveways and circular drives shall not be permitted when access may be provided from a side or rear street located immediately adjacent to a contiguous property.
5. Driveways and curb cuts shall be limited to one-way entrances a width of twelve (12) feet or two-way entrances a width of twenty-four (24) feet, unless otherwise permitted by the Commissioner of the Department of Public Works.
6. Circular drives:
No circular drives shall be located between any building and any required sidewalk with the exception of hotels and hospitals.
7. Driveways are not permitted between the required sidewalk and the adjacent building, and shall be perpendicular to any adjacent street, unless authorized by Section 16-19A.011(6).
8. Parking structures, regardless of whether a principal or accessory use:
 - a. Shall conceal automobiles from visibility from any public park or adjacent required sidewalk, and shall have the appearance of a horizontal storied building on all levels from said park or sidewalk; and
 - b. Shall not contain unshielded internal light bulbs that are visible from any public park or adjacent required sidewalk; and
 - c. Shall have facades adjacent to the required sidewalk or provided supplemental zone which are faced in brick, glass, stone, cast stone, poured-in-place rubbed concrete, hard coat stucco, or pre-cast concrete faced in or having the appearance of brick or stone. This requirement shall not apply to windows or other openings.
9. Notwithstanding the provisions of Section 16-28.006(10), a common or joint driveway for adjacent lots that have direct vehicular access to a street, or a driveway from a private street which functions as a public street may be authorized by the Director of the Bureau of Planning, based on traffic considerations, when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such agreement is filed with the Bureau of Planning.
10. All parking structures and lots not located at the back of the required sidewalk or provided supplemental zone shall have walkways with a minimum width of four (4) feet connecting said structure or lot to the adjacent required sidewalk.
11. Drive-in facilities are prohibited in Subarea 3 (Capitol-Oakland Park). In all other subareas drive-in facilities, including all vehicular queuing, shall be completely enclosed within a building or parking structure, except for ingress and egress points, and shall not be visible from any public park or required sidewalk.

Section 16-18V.012. Minimum Landscaping for Surface Parking Lots, Barrier Requirements.

The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply to this district in addition to the street tree planting requirements, with additional requirements as follows:

1. Said surface parking lot requirements shall apply to all lots regardless of size;

2. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
3. All landscaped buffer strips along sidewalks and public rights-of-way shall have a minimum of one tree with a minimum caliper of two and one-half inches.
4. All surface parking lots must maintain a minimum six foot high solid wall or open fence of a design to be approved by the City of Atlanta, Dept of Planning, between parking lot and all public sidewalks and streetscapes.

Section 16-18V.013. Off-Street Parking Requirements.

1. Residential Parking requirements: One per unit.
2. Non-Residential Parking requirements:
 - a. Office uses:
Subareas 1,2,4,5,6,7, and 8, and 9 a maximum of four (4) spaces for each one thousand (1,000) square feet of floor area. Parking shall be prohibited in Subarea 3 (Capitol-Oakland Park) except for underground parking structures.
3. Off-street surface parking:
 - a. Shall be prohibited in Subarea 3 (Capitol-Oakland Park).
 - b. Shall not be located between a building and the street, except for George Street north of Martin Luther King, Jr. Drive.
4. Alternative fuel vehicle charging stations: All automobile parking facilities shall include alternative fuel charging stations, or similar facilities, in a ratio of at least one (1) station for every one hundred (100) automobile parking spaces. No development shall be required to exceed a maximum of twelve (12) stations.
5. No portion of any parcel on which a building has been demolished, destroyed, or otherwise removed after the adoption of this ordinance shall be utilized for an independent primary park-for-hire surface parking lot.

Section 16-18V.014. Minimum Off-Street Bicycle Parking Requirements.

The provisions of Section 16-32.024 shall apply.

Section 16-18V-015. Bridges and Tunnels

Pedestrian bridges and tunnels, buildings or parking structures traversing streets, and privately owned vehicular bridges are prohibited when located above or below public streets. Pedestrian bridges and tunnels, public plazas, buildings or parking structures shall be allowed over or adjacent to rail lines and interstate highways.

Section 16-18V.016. Relationship of Building to Street

The regulations contained in this section apply to all buildings and structures, including parking structures, but shall not apply to surface parking lot attendant structures of less than fifty (50) square feet.

1. Adjacent to a required sidewalk zone shown on Map C or provided supplemental zone a habitable space having a finished floor not more than five (5) feet above or below said sidewalk shall be provided for one hundred percent (100%) of the length of the building, unless existing topographical considerations render this requirement unreasonable. Such floor or floors shall be considered the sidewalk level.

2. Sidewalk Level Requirements Adjacent to a Required Sidewalk Zone Shown on Map C:

- a. Floors in non-residential use shall have a minimum floor to floor height of fourteen (14) feet. See Section 16-18V.016(1)a Diagram.
- b. For a minimum depth of eighteen (18) feet from the façade along the required sidewalk or provided supplemental zone, active uses are required, except at ingress and egress points into parking structures or loading areas. For the purposes of this chapter active uses are limited to retail, office, residential, restaurant, museum, gallery, auditorium, library, hotel lobby, or cultural facility uses; all shall be serviced by plumbing, heating, and electricity. See Section 16-18V.016(1)a Diagram. When two or more floors meeting the definition of sidewalk level exist within the same structure, this requirement shall only apply to the frontage of each floor located within five (5) feet above or below the grade of the adjacent required sidewalk. See Section 16-18V.016(1)b Diagram.
- c. The primary pedestrian entrance to individual business establishments identified in subsection b. above:
 - i. Shall face, be visible from, and be directly accessible from said required sidewalk.
 - ii. When located along a storefront street, shall face, be visible from, and be directly accessible from the required sidewalk along such street.
 - iii. Shall remain unlocked during business hours for non-residential uses.
 - iv. Shall be at grade with the closest portion of the adjacent required sidewalk for non-residential uses.
- d. All buildings with a single street frontage containing more than four (4) sidewalk level residential units satisfying the requirements of subsection b. above shall have individual entrances to such units directly accessible from the required sidewalk, unless existing topographical considerations render this requirement unreasonable. All walkways providing such access may be shared between no more than two (2) adjacent units.
- e. Fenestration shall be provided for a minimum of sixty percent (60%) of façade area of the sidewalk level for all non-residential uses, with the exception of churches and fire stations. For storefront streets see Section 16-18V.017 for additional requirements.
- f. Display windows or cases shall have a minimum depth of three (3) feet.

3. Interior retail establishments, including restaurants, not directly accessible from a required sidewalk are permitted outside of the twenty (20) foot depth from the façade identified in Section 16-18V.016(1)b only when more than fifty percent (50%) of the total length of the sidewalk level façade is used for retail or restaurant establishments at sidewalk level. See Section 16-18V.016(2) Diagram.
4. A street address number shall be located directly above or beside primary building and business establishment entrances along the required sidewalk, shall be clearly visible from the sidewalk, and shall have a minimum height of six (6) inches.
5. Sidewalk Arcades: Buildings with nonresidential uses at the sidewalk level may have sidewalk arcades, which shall meet the following regulations:
 - a. Shall provide an at grade sidewalk surface.
 - b. Shall provide a minimum of 15 feet of clear unobstructed space between arcade supports.
 - c. Meet the requirements shown on the Pedestrian Space Plan map.
6. Fences and Walls Adjacent to a Required Sidewalk Zone Shown on Map C:
 - a. Fencing shall be permitted between the building and the adjacent street only when:
 - i. Used to separate authorized outdoor dining from the required sidewalk.
 - ii. Used to separate authorized residential from the required sidewalk, when providing a gate to each residential walkway.
 - b. Between the building and the adjacent street:
 - i. Fences, including fences surrounding outdoor dining, shall not exceed forty-two (42) inches in height
 - ii. Walls shall not exceed twenty-four (24) inches in height unless existing topography requires a retaining wall of greater height.
 - c. In all other areas the maximum height of all other fences and walls shall be eight (8) feet.
7. No barbed wire, razor wire, chain link or similar elements shall be visible from any public park, required sidewalk or sidewalk level outdoor dining area.
8. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes shall not be located between a building and the required sidewalk.
9. All building up-lighting shall be located a minimum height of eight (8) feet above the required sidewalk, driveway or Supplemental Zone.
10. See Section 16-18V.017 for additional requirements on storefront streets.

Section 16-18V.017. Specific Regulations for Storefront Streets

Storefront street shall have the meaning and fenestration requirements set forth in Section 29.001(67).

1. Storefront streets shall be as shown on the Pedestrian Space Plan map.
2. At sidewalk level fenestration shall be provided for a minimum of sixty-five (65%) percent of the length of the frontage.
3. Buildings shall be built to the back of and predominantly parallel to the required sidewalk or provided supplemental zone for one hundred (100) percent of the length of said sidewalk, except where authorized for circular drives or other permitted drives. Said buildings shall have a minimum depth of forty-five (45) feet.
4. Retail display windows may project into the required supplemental zone but shall not cover more than two-thirds of its horizontal area.
5. External storefront security grilles, gates, and security doors shall be fully retractable during business hours and shall permit visibility into the interior of the protected space when in use; opaque systems are prohibited. External housing and shields for such systems shall be painted the same color as the frames of the storefront system they protect.

Section 16-18V.018. Historic Properties

As used in this Chapter, the term “Historic Property” means a parcel or parcels of land in subarea 5 containing structures at least 50 years old at the time in question, including accessory uses. To promote the preservation of Historic Properties and their site plans, and to promote the adaptive reuse thereof, notwithstanding anything in this Chapter to the contrary:

1. Historic Properties are excluded from the following subsections of this Chapter: 005(8); 006(1); 006(3); 007 to the extent existing buildings do not permit requirements to be complied with; 008(3)(c); 013(3)(b); 016(1); 016(2)(b); 016(2)(d); and 016(6)(a), (b); and 017(3).
2. Historic Properties that are damaged or destroyed by any means may be repaired, redeveloped or rebuilt substantially to their previous footprint and site plan.
3. Historic Properties that were built before 1930 and less than 6,000 square feet can be excluded from the following subsections of this Chapter: 005(9)

A Historic Property will lose its status as such if (i) except as set forth in subsection (2) above, more than 20% of the total floor area is demolished or destroyed (and not restored so as to comply with this clause), or (ii) a substantial portion thereof will not be used for the primary use in connection with the redevelopment thereof.

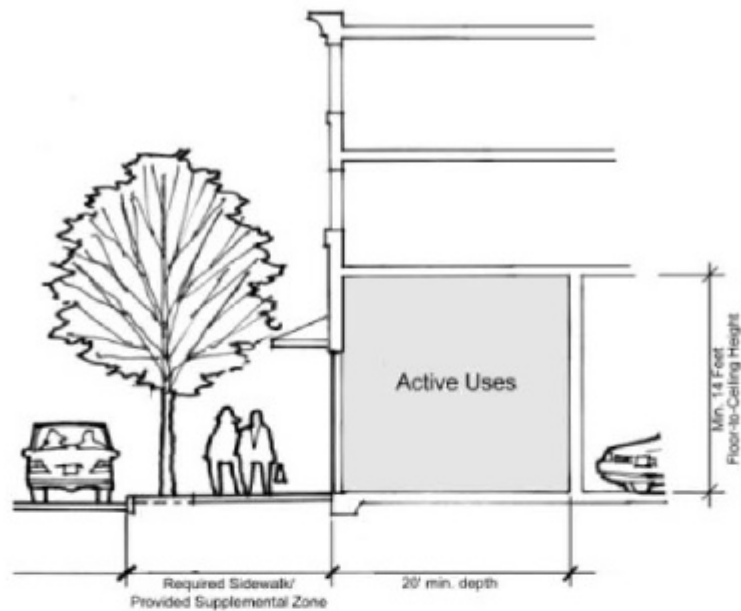
Section 16-18V.019. Work Force Housing

1. Work force sales or rental housing units requirements:
 - a. Any development having a Residential FAR of 2.5 or higher must provide twenty percent (20%) or more affordable sales or rental housing units for that portion of residential units above 2.5 FAR.
 - b. Work force housing shall have the maximum rent or maximum price set forth for moderate income housing units in Section 19-1006.
 - c. Work force requirements shall be in place for a minimum of forty (40) years from the date of issuance of the occupancy permit and shall include deed restrictions governing the resale value or rental rate of the affordable units.
 - d. No work force housing unit associated with a development project shall be issued an occupancy permit until such time as documentation is provided to the Bureau of Buildings establishing that the affordable housing requirements have been met and have been instituted as part of the warranty deed as an allowable exception to title for each work force unit that is a part of said development project.

Section 16-18V.~~019020~~. Illustrative Diagrams

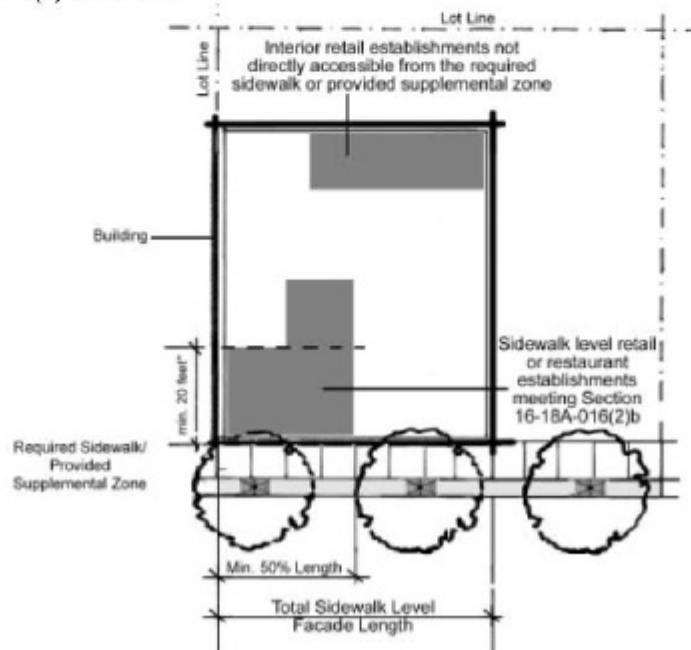
The illustrations contained within this section are graphic depictions of several of the requirements of this Chapter. Unless otherwise indicated, each diagram is intended to specifically illustrate the indicated Section; all suggestions of architectural style, on-street parking, tree shape and tree grate requirements do not constitute a requirement of this Chapter. Additional principles shown in the illustration that do not illustrate specific Section requirements are consistent with other requirements of the Chapter.

SECTION 16-18A-016(1)a DIAGRAM



Sidewalk Level Active Use Requirements

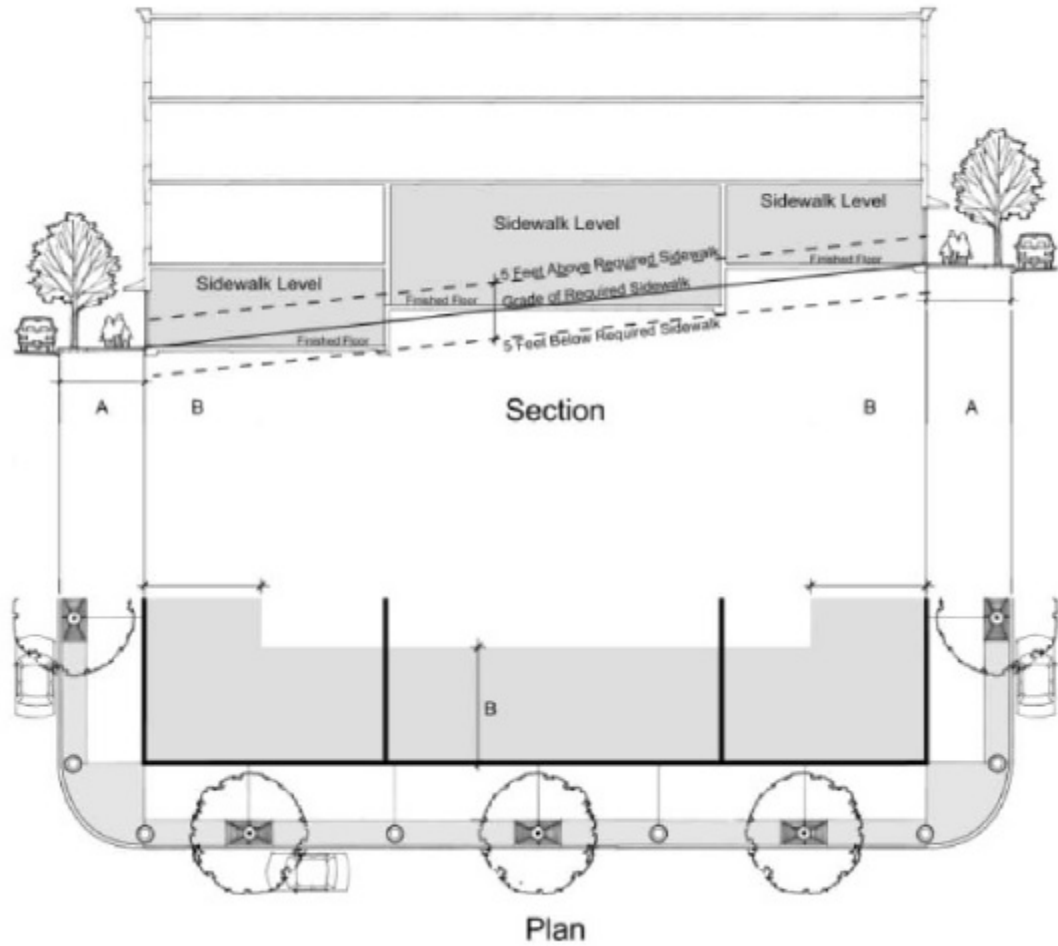
SECTION 16-18A.016(2) DIAGRAM



Interior Retail Establishment Requirements

SECTION 16-18A.016(2)b DIAGRAM

A = Required Sidewalk
B = Active Uses, for minimum depth
of 20 feet from the interior wall



Sidewalk Level Definition